

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the matter of

ITA Informal Request for Certification to)	
Coordinate Power Radio Service, Railroad)	RM-10687
Radio Service, and Automobile Emergency)	
Radio Service Under Part 90 of the)	
Commission's Rules)	

To: The Commission

COMMENTS OF PSEG SERVICES CORPORATION

PSEG Services Corporation hereby submits comments in opposition to the above captioned "Informal Request for Certification" filed January 27, 2003 by the Industrial Telecommunications Association ("ITA") to coordinate and certify frequencies in the former Power Radio Service.

PSEG Services Corporation provides a wide range of shared services to the Public Service Enterprise Group family of companies¹, including engineering, planning, designing, installing, and licensing private wireless telecommunications systems. Private wireless systems are essential for the safe control, operation and maintenance of generation, transmission and distribution plant. For this aspect of our business, the wireless telecommunications usage type and profile is identical to that of traditional public safety radio services: the nature of the

¹ Includes, but is not limited to, Public Service Electric and Gas Company ("PSE&G"), PSEG Nuclear, LLC ("Nuclear"), PSEG Power, LLC ("Power"), PSEG Fossil, LLC ("Fossil"), PSEG Energy Resources and Trading, LLC ("ER&T"), *et als*.

operation requires private communications systems that are exclusive, available and reliable. Misinterpretation of a single word during a critical operation or interference with communications can result in injury or death to employees, injury to the public at large, and serious damage to utility plant.

There is little room for error. Radio communications between and among personnel engaged in live-line high voltage transmission work cannot tolerate co-channel or adjacent-channel interference.

Radio communications between and among personnel engaged in live-line primary distribution work cannot tolerate co-channel or adjacent-channel interference.

Radio communications between and among personnel engaged in gas main valve balancing, system regulation and gas main servicing cannot tolerate co-channel or adjacent-channel interference.

Radio communications between and among personnel engaged in the operation of or refueling of a nuclear generating station cannot tolerate co-channel or adjacent-channel interference.

Radio communications between and among personnel engaged in scheduling and dispatching of bulk power and generation assets cannot tolerate co-channel or adjacent-channel interference.

Radio communications for dispatching utility personnel to the scenes of a gas leaks, main dig-ins, downed wires, power outages or other emergencies cannot tolerate co-channel or adjacent-channel interference.

Traditional public safety resources respond to calls where power lines are down, or where a gas main is ruptured, or where a structure fire occurs. The longer it takes the proper utility personnel to respond, the greater the loss of property and the longer police, fire and rescue services must remain engaged at the scene. In general, unless a human life is to be saved, fire suppression efforts occur outside a burning structure until gas and electric utility services can be shut off. The longer a working fire is not ‘knocked down’ from the inside, the greater the likelihood that the suppression efforts will result only in ‘saving the foundation’.

Because of the nature of the work involved in utility operations, including control of plant and direction of workforce, frequency coordination for CII requires the same parameters as frequency coordination in the Public Safety Radio Service: exclusivity, availability, and reliability. Care must be taken to eliminate the likelihood of co-channel and adjacent-channel interference that would interrupt or frustrate radio communications. PSE&G, unfortunately, has extensive experience with the result of cookie-cutter frequency coordination performed by coordinators not familiar with CII operations.

PSE&G² was one of the first CII entities to fall victim to the Commission’s Spectrum Refarming Report and Order³. Located between the New York City and Philadelphia metropolitan areas, PSE&G’s operations on the reserved Power Radio Service (“IW”) channels were subjected to co-channel interference within months of the Refarming R&O’s effective date. Frequency

² PSE&G is New Jersey’s largest supplier of electricity and natural gas, serving 300 of the state’s 566 municipalities.

³ PR Docket 92-235

coordinators other than UTC⁴ saw the reserved IW channels as fertile ground in which to insert taxi companies, food delivery services, drive-through eateries, and other general business operations, often within just a few miles of utility base stations and without regard to the impact on CII operations. In one or more further notices of proposed rulemaking/motions for reconsideration PSE&G commented, and the Commission noted, that in one PSE&G gas distribution district alone, gas service disconnects requested by area police and fire departments were delayed on sixteen separate occasions because of co-channel interference.

For nearly two and one-half years after the effective date of the Refarming R&O, coordinators other than UTC continued to recommend reserved IW and shared frequencies on which PSE&G operated, further exacerbating the situation. Although it was much too late for PSE&G – the damage already having been done – the Commission wisely revised the coordination rules by reestablishing UTC as the exclusive coordinator for both the reserved IW channels and for those channels that were ‘shared’, but assigned to utilities.

According to the Commission, the primary factor in selecting each frequency coordinator was, ‘whether the applicant *represented* a class of users eligible for licenses in the service the applicant proposed to coordinate. Special emphasis was placed on *representativeness* since the Commission decided to certify only one coordinator per service. Additional factors considered were the applicant’s overall plan to coordinate the service, whether the entity had any experience coordinating frequencies in that service or any technical expertise in engineering land mobile radio stations, and whether the applicant was capable of nationwide coordination.’⁵

⁴ UTC is The United Telecom Council (f/k/a UTC – The Telecommunications Association; f/k/a The Utilities Telecommunications Council; f/k/a The National Committee for Utilities Radio). UTC has been the exclusive frequency coordinator for the reserved IW frequencies.

⁵ See Order, DA 01-944, at ¶4 (adopted April 11, 2001)

UTC is the trade association that, since 1948, has represented the telecommunications interests of America's CII. PSEG has been a member continuously since 1948. Because UTC understands the nature of the utility business, because it has a national coordination plan, and because it has competent engineering staff, co-channel and adjacent-channel interference on IW channels coordinated by UTC for PSE&G was quite rare until the Spectrum Refarming R&O. We are not aware that ITA ever has represented America's CII in general and utilities in particular. ITA, and coordinators other than UTC, have little or no understanding of the utility business or, as regulated entities, the duty utilities owe to the public.

In the Balanced Budget Act of 1997, Congress equated utility radio communications needs with those of traditional public safety. In October 2001, electric, gas, water, and steam utilities were classified by Congress as critical infrastructure industries ("CII"), recognizing these private-sector services as key components of national security. Federal, state, county and local governments depend for their own operation upon utility services provided by CII.⁶ In addition, other key components of national security depend for their operation upon services provided by CII.

PSE&G has had experience with ITA. During an internal reorganization, one of the licenses for its Gas Distribution mobile data system⁷ lapsed. PSE&G applied for and obtained an STA to continue operations within the technical parameters of the expired license and immediately re-applied for a new license with the exact same license parameters as in the expired license. The

⁶ See USAPATRIOT Act, §1016.

⁷ WNZZ600 and WNZH802 comprised a multi-site, 6-channel, conventional 900 MHz system. WNZH802 lapsed.

system is afforded 'exclusive use' based upon channel loading. Since action was taken promptly, the coordinator database still listed the channel pairs as exclusively assigned to PSE&G. Coordination in this case should have been immediate. It was not. PCIA and ITA together took eleven (11) months to coordinate an already existing system.

During the past two years, the record is replete with ITA defending 'defective coordinations' and the Commission's Wireless Telecommunications Bureau modifying the licenses in question to remove one or more defectively coordinated frequencies. In at least two cases, CII utilities were affected: Pacific Gas and Electric Co. and PSE&G.⁸ ITA's position not only was adverse to the constituency it now seeks to represent, but displayed a complete lack of understanding of Commission rules.⁹

Wherefore, the premises considered, PSEG Services Corporation urges the Commission to dismiss the informal request. UTC should remain the exclusive coordinator for Power Radio Service applicants.

Respectfully submitted,

PSEG Services Corporation

By: Jeffrey H. Katz
Enterprise IT Consultant

PSEG Services Corporation
80 Park Plaza T-15
Newark, NJ 07102-4194
973-430-7572

April 24, 2003

⁸ DA 02-54, 17 FCC Rcd 599.

⁹ ITA advocated on behalf of an inherently defective coordination by PCIA which violated 47 C.F.R. § 90.187.